

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

UNITED STATES OF AMERICA )  
v. )  
**JASON SMITH,** )  
Defendant. )  
Case No. 2:10CR00007  
ORDER  
By: James P. Jones  
United States District Judge

For the reasons set forth in the Opinion accompanying this Order, it is  
**ORDERED** as follows:

1. Defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C.A. § 2255 is DENIED;
  2. Defendant's Motion to Seal (ECF No. 59) is DENIED as unnecessary; and
  3. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: February 27, 2012

/s/ James P. Jones  
United States District Judge